

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	X
	:
SANDRA SANON, <i>individually and on behalf of all other persons similarly situated,</i>	:
	:
Plaintiffs,	22-CV-10583 (JMF)
	:
-v-	<u>ORDER</u>
	:
	:
KIDZ DISCOVERY INC., et al.,	:
	:
Defendants.	:
	:
	X

JESSE M. FURMAN, United States District Judge:

As stated on the record during the teleconference held earlier today:

- Plaintiff is encouraged to take advantage of the *Pro Se* Law Clinic in this District — to be clear, a group distinct from the *Pro Se* Intake Unit and not run by the Court — that assists, for free, parties in civil cases who do not have lawyers. The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York, in Room LL22, which is just inside the Pearl Street entrance to that Courthouse. Under normal circumstances, the Clinic is open on weekdays from 10 a.m. to 4 p.m., except on days when the Court is closed. An unrepresented party can make an appointment by visiting the Clinic's website at <https://www.nysd.uscourts.gov/attorney/legal-assistance> or by calling (212) 659-6190.
- **Upon reflection, the Court concludes that Defendant Malachi's Answer, ECF No. 21, should be treated as still effective on her own behalf**, as the Court had deemed it filed on her behalf, *see* ECF No. 23. That said, she is encouraged to file an Amended Answer, with or without the assistance of the *Pro Se* Law Clinic or another lawyer, to ensure that the record is clear as to her own responses to the Complaint; to that end, she is granted leave to file an Amended Answer no later than **October 16, 2023** (which is the Monday after one month from today). For the avoidance of doubt: **If Malachi files nothing by that deadline, the case will move forward and ECF No. 21 will remain the operative Answer.**
- On June 6, 2023, Plaintiff filed a motion for a default judgment against Defendant Kidz Discovery Inc. *See* ECF No. 42. Kidz Discovery Inc. was repeatedly cautioned that corporate entities may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where such an entity “repeatedly fails to appear by counsel, a default judgment may be entered against it,” *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (internal quotation marks omitted). After extensions and numerous opportunities to appear,

Kidz Discovery Inc. remains unrepresented. Plaintiff's motion is therefore GRANTED as unopposed, but as to liability only. Kidz Discovery Inc. may still appear and contest the amount of damages in a future proceeding (or make other motions it deems proper) if a lawyer properly admitted to practice in this District files a notice of appearance on behalf of Kidz Discovery Inc.

The Clerk of Court is directed to terminate ECF No. 42.

SO ORDERED.

Dated: September 14, 2023
New York, New York



JESSE M. FURMAN
United States District Judge